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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA

9 IN RE BARD IVC FILTERS PRODUCTS
10 LIABILITY LITIGATION

No. 2:15-MD-02641-PHX-DGC

11 This Document Applies to:

12 **WILLIAM CONRAD**

**SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

13 Plaintiff(s) named below, for their Complaint against Defendants named below,
14 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).
15 Plaintiff(s) further show the Court as follows:
16

17 1. Plaintiff/Deceased Party:
18 William Conrad

19 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
20 consortium claim:
21 None

22 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):
23 None

24 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the
25 time of implant:
26 WA OR

27

28

1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the
2 time of injury:

3 **WA OR**

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5 **WA OR**

6 7. District Court and Division in which venue would be proper absent direct filing:

7 United States District Court for

8 8. Defendants (Check Defendants against whom Complaint is made):

9 C.R. Bard Inc.

10 Bard Peripheral Vascular, Inc.

11 9. Basis of Jurisdiction:

12 Diversity of Citizenship

13 Other: _____

14 a. Other allegations of jurisdiction and venue not expressed in Master
15 Complaint:

16 _____

17 _____

18 _____

19 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
20 claim (Check applicable Inferior Vena Cava Filter(s)):

21 Recovery Vena Cava Filter[®]

22 G2 Vena Cava Filter[®]

23 G2 Express[®]

24 G2 X Vena Cava Filter[®]

25 Eclipse Vena Cava Filter[®]

26 Meridian Vena Cava Filter[®]

27 Denali Vena Cava Filter[®]

Other:

2 11. Date of Implantation as to each product:

7/1/2006

5 | 12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect
- Count II: Strict Products Liability – Information Defect (Failure to Warn)
- Count III: Strict Products Liability – Design Defect
- Count IV: Negligence - Design
- Count V: Negligence - Manufacture
- Count VI: Negligence – Failure to Recall/Retrofit
- Count VII: Negligence – Failure to Warn
- Count VIII: Negligent Misrepresentation
- Count IX: Negligence *Per Se*
- Count X: Breach of Express Warranty
- Count XI: Breach of Implied Warranty
- Count XII: Fraudulent Misrepresentation
- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable **WA OR** Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): All claims for Relief set forth in the Master Complaint for
an amount to be determined by the trier of fact. (please

1 state the facts supporting this Count in the space
2 immediately below)

3 _____
4 _____
5 _____

6 13. Jury Trial demanded for all issues so triable?

7 Yes
8 No

9 RESPECTFULLY SUBMITTED this 20th day of February, 2019.

10
11 By: /s/ John A. Dalimonte
12 John A. Dalimonte
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17 I hereby certify that on this **20th** day of **February**, 2019 I electronically transmitted
18 the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal
19 of a Notice of Electronic Filing.
20

21 /s/ John A. Dalimonte
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